

Industrial Designs

The aim of the thesis is to analyze this very actual issue at present. The reason for my research is to find out the outcome of the transposition of DIRECTIVE 98/71/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 13 October 1998 on the legal protection of designs and into the Czech legal regulation of designs and its impact.

The thesis is composed of ten chapters, each of them dealing with different aspects of industrial designs. Chapter One is introductory and defines basic terminology used in the thesis, methods of interpretation and used in analyse and legal sources used.

Chapter Two examines the notion of industrial design and legal sources concerning the legal regulation. The chapter consists of two parts. Part One focuses on the notion of industrial design and legal sources generally. Part Two focuses on international, European and Czech legal sources and history of the legal regulation.

Chapter examines the subject of protection and focuses on conditions of protection, protection of complex products and on disclosure.

Chapter Four concentrates on the scope of protection and the term of protection.

Chapter Five examines right concerning industrial design.

Chapter Six focuses on Invalidity or refusal of registration. Chapter Seven deals with Rights conferred by the design right, with limitation of the rights conferred by the design right and with exhaustion of rights.

Chapter Eight focuses on problem resulting from property rights to industrial design and Chapter Nine deals with Community (industrial) design.

Conclusions are drawn in Chapter Ten. The main aim of the thesis is to evaluate the transposition of the Directive mentioned above and possible problems. The aim is also to propose some solutions *de lege ferenda*. I suggest that new legislation concerning complex products should be passed and more international cooperation to prevent piracy should be reached. I assume that the legal protection was extended with new legal regulation implementing the Directive.